

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Arlandus M Nolen v Department of Corrections**

Docket No. **259919**

L.C. No. **04-000775-AA**

William C. Whitbeck, Chief Judge, acting under MCR 7.211(E)(2), orders:

The second motion to waive fees is treated as a motion for reconsideration, and it is DENIED as appellant's initial motion to waive fees is not properly before this Court as shown below.

The application for leave to appeal and the motion for appointment of counsel are DISMISSED since plaintiff failed to pay the outstanding fee of \$59.14 in Docket No. 250015. Under state law, a prisoner may not file another civil appeal or original action in this Court until such time that either the Department of Corrections remits or the prisoner pays the entire outstanding balance due in a previous civil action. MCL 600.2963(8).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB - 3 2005

Date

*Sandra Schultz Mengel*  
Chief Clerk